

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:14-CR-3-FL-1

UNITED STATES OF AMERICA

v.

MICHAEL RANKINS

)
)
)
)
)

ORDER

This matter comes before the court on defendant's filings at DE 329 and DE 345. To the extent defendant moves to have DNA testing performed on the ski mask at issue in this case, pursuant to 18 U.S.C. § 3600, defendant's motion is denied where, as here, defendant pleaded guilty, defendant previously moved to have same DNA testing performed and withdrew said motion, and where defendant previously and currently fails to certify that defendant will provide a DNA sample for purposes of comparison. See id. § 3600(a)(8) (requiring court to order DNA testing if court finds that the proposed DNA testing may produce new material evidence that would raise a reasonable probability that the applicant did not commit the offense); id. § 3600(a)(9) (requiring applicant to certify that the applicant will provide a DNA sample for purposes of comparison); see also DE 340 at 20 (court noting that defendant had requested this DNA testing but refused to give DNA sample and thus the motion was withdrawn); DE 339 at 45 ("Mr. Rankins does not want to submit a swab and would like to withdraw his motion for DNA testing")).

SO ORDERED, this the 12th day of August, 2019.



LOUISE W. FLANAGAN
United States District Judge